

REMARKS

The Applicants wish to thank the Examiner for thoroughly reviewing and considering the pending application. The Office Action dated December 1, 2004 has been received and carefully reviewed. Claims 1, 5, 11, 14, 21, and 27 have been amended. Claims 1-27 are currently pending. Reexamination and reconsideration are respectfully requested.

The Applicants have amended the specification as noted in the attachment. The Applicants submit that the originally filed specification was a translation of the specification which was originally in the Korean language. The amendments to the specification merely clarify language that occurred as a result of a translation error.

Initially, the Applicants would like to thank the Examiner for allowing claims 11-13 and 14-20. Similarly, the Applicants wish to thank the Examiner for indicating that claims 2-4, 6-10 and 22-26 include allowable subject matter.

The Office Action rejected claims 1, 5, 21, and 27 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,182,460 to *Hernandez et al.* (hereinafter “*Hernandez*”). The Applicants respectfully traverse this rejection.

As required in Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. §102, “the reference must teach every element of the claim.” However, the Applicants respectfully submit that *Hernandez* does not teach every element recited in claims 1, 5, 21, and 27. Thus, *Hernandez* cannot anticipate these claims.

For example, claims 1, 5, and 21 recite an air conditioner comprising, among other features, “a barrier integrated with [a] base.” In contrast, *Hernandez* discloses a vertically extending metal partition 26, the reference teaches that the vertically extending metal partition 26 mounts to the basepan 24 with mounting flanges 70. *See e.g.*, Col. 4, ll. 2-6. *Hernandez* does not teach a barrier integrated with a base, as recited in claims 1, 5, and 21. Accordingly, the

Applicants submit that claims 1, 5, and 21 are not anticipated by *Hernandez* and are therefore allowable.

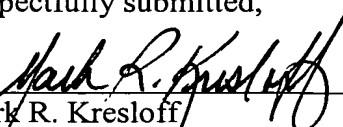
Claim 27 recites an air conditioner, comprising, among other features, an outdoor part for intaking outdoor air at “lower surfaces thereof.” *Hernandez* does not disclose this. While Figure 2 of *Hernandez* does disclose inlets 37 in a top surface and side surfaces of a rectangular housing 16, *Hernandez* does not show an outdoor part which intakes outdoor air at a “lower surface” thereof, as recited in claim 27. Accordingly, *Hernandez* does not disclose all the features of claim 27 and the Applicants request that the rejection be withdrawn.

The Applicants believe the application is in a condition for allowance and favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: February 28, 2005

Respectfully submitted,

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